



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON, D.C. 20370-5100

BJG

Docket No: 6200-99

17 November 2000

M [REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

You requested, in effect, that you be awarded the Good Conduct Medal (GCM) and the Navy Achievement Medal (NAM), and that your Department of Defense (DD) Form 214 ("Certificate of Release or Discharge from Active Duty") be corrected accordingly. You further requested that your honorable discharge certificate be changed to show you were in the Regular Navy, rather than the Naval Reserve.

It is noted that the Chief of Naval Operations (CNO) has awarded you the GCM, which we previously forwarded to you. You may submit your request to correct your DD Form 214 accordingly to the Navy Personnel Command (PERS-312E), 5720 Integrity Drive, Millington, Tennessee 38055. You should include a copy of the attached advisory opinion from CNO dated 23 September 2000, which shows CNO has approved the GCM. You may submit to the same address your request to change your honorable discharge certificate. You should include copies of the certificate to be corrected and your DD Form 214.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice warranting approval of your request for the NAM. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly,

your application for the NAM has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

Ser N09B33/OU518596
23 September 2000

From: Chief of Naval Operations (N09B33)
To: Chairman, Board for Correction of Naval Records

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF
[REDACTED] USN [REDACTED]

Ref: (a) BCN [REDACTED]: 6200-99 of 17 May 00

Encl: (1) BCNR File
(2) Service Record
(3) Navy Good Conduct Medal

1. This is in response to reference (a), regarding [REDACTED] request regarding eligibility for the Navy Good Conduct Medal and the Navy Achievement Medal he indicated he was recommended for.
2. Our records and the records of the Board of Decorations and Medals fail to show that [REDACTED] was ever recommended for or awarded the Navy Achievement Medal. If Mr. [REDACTED] provide a copy of the signed Award Recommendation (OPNAV Form 1650/3), we will reconsider his request.
3. Upon reviewing [REDACTED] service records and the pertinent regulations governing the awarding the Navy Good Conduct Medal, the Chief of Naval Operations approves the Navy Good Conduct Medal [REDACTED] service under the 90 day waiver clause. Enclosed is a Good Conduct Medal for forwarding [REDACTED]
4. All enclosures are returned as requested.

[REDACTED]
By direction